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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,720	02/20/2004	Masanori Tomioka	TOMI3002/FJD	4171
23364	7590	09/22/2005	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			JACKSON, TYRONE D	
			ART UNIT	PAPER NUMBER
			2862	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/781,720

Applicant(s)

TOMIOKA, MASANORI

Examiner

Tyrone Jackson

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1,3 and 4 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. The disclosure is objected to because of the following informalities:

The specification is replete with grammatical errors. For example, the term "balls' is misspelled on page 6, the term "and" ends a sentence on page 7, and the first paragraph on page 14 refers to Fig. 4- Fig. 7 not Fig. 4- Fig. 8.

Appropriate correction is required.

2. Claims 1, 3 and 4 are objected to because of the following informalities:

Claims 1 and 4 reads that the "annular object" is being tested while it is the "tone wheel" that is actually being tested.

In claim 3, the term "standard encoder" lacks antecedent basis.

Appropriate correction is required.

3. Claims 1-6 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to show a method or apparatus for testing a tone wheel that is attached to an annular object, in which the apparatus comprises a surface adjusting means for holding in the horizontal position the annular object; the means comprising a pair of pressing members between which the object is held, one of the pressing members having a reference surface with which the tone wheel is contacted in order to

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make the tone wheel align in the rotary axis direction of the object, a rotatable chucking means for seizing the object so as to make the center of the object align with its rotary center when the object is held by the surface adjusting means, and a magnetic testing sensor disposed adjacent to the tone wheel so as to face each other; and the method comprises the steps of holding the object horizontally by the surface adjusting means in a manner that the reference surface contacts with the tone wheel set on the positioning ring so as to keep the tone wheel aligned in the rotary axis direction of the object, then seizing the object by the rotatable chucking means when the object is held by the surface adjusting means so as to make the center of the object align with that of the chucking means, and finally rotating the rotatable chucking means and measuring the signal detected by operation of the magnetic testing sensor.

5. This application is in condition for allowance except for the above formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.


A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents 6414479, 6217220, 6559633 and 6003375 all disclose various types of speed sensors with tone wheels.

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Remarks

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tyrone Jackson

September 15, 2005



ZANDRA V. SMITH
PRIMARY EXAMINER